

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
) Case No. 3:09-00218-5 *Overruled*
v.)
) CHIEF JUDGE HAYNES *This motion is
overruled. The conference
is set for May 10, 2013.*
BABAK NIKOUINEJAD)

**MOTION TO SET A STATUS CONFERENCE WITH MANDATORY APPEARANCE
OF DEFENDANT**

The United States of America, through David Rivera, Acting United States Attorney for the Middle District of Tennessee, and Assistant United States Attorney Blanche B. Cook, respectfully move this Honorable Court to set a mandatory status conference for both Defendant Babak Nikouinejad and his counsel, Peter Strianse, on Friday, May 10, 2013, if not sooner. In support of its motion, the United States indicates the following:

On April 29, 2013, this Court confirmed a status conference in the instant matter, for Friday, May 3, 2013. On April 30, 2013, Defendant moved to be excused from the status conference. (DE 385). On May 1, 2013, this Court denied Defendant's motion. (DE 388). It is unclear if Defendant and/or his Counsel plan to attend the currently scheduled status conference. Nevertheless, the Government has conveyed a settlement offer to Defense Counsel. The Government hopes that Defense Counsel will respond to the Government's offer by Friday, May 3, 2013.

In his last correspondence with the Government, prior to the Government making a settlement offer, Defense Counsel stated that he would be proceeding to trial in the instant matter, which is currently scheduled for June 18, 2013. The Government's case in chief, in the instant matter, could take two and a half weeks. The amount of resources the Government must expend to prepare for the instant trial are extremely costly. As an indication of the amount of resources the